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REMARKS

In response to the Office Action dated March 9, 2005, Applicant provides the following comments. Claims 1-3, 7-20, 22 and 25-41 remain pending in the Application. Claims 1 and 17 have been amended. Claims 40 and 41 have been added. Reconsideration of the claims, as amended, is respectfully requested.

Claims 1-3, 7, 8, 16-20, 22 and 32 were rejected under 35 U.S.C. §102(e) as being anticipated by *Hawkins*. Claims 1 and 17 have been amended to more particularly recite that the engine uniquely determines the priority order for loading the non-core services at run time responsive to a user interaction during each execution of the software application. Thus, Claim 1 recites a software engine determining a priority order for non-core services during each execution of a software application. The *Hawkins* reference does not describe uniquely determining a priority order for loading non-core services at run time during each execution of the software application. The *Hawkins* reference describes analyzing the program flow of the application to determine logical breaks in the program where classes are not being instantiated and then grouping these classes into archive files. The program is then executed according to these grouping of archive files and subsequent executions of the program do not determine priority order during each execution of the software application.

The tool described in the *Hawkins* reference describes a different method for improving program operation that pre-analyses the operation of the program and groups classes in an optimal fashion. Thus, the *Hawkins* reference uses analysis to determine a one size fits all designation for the order and groupings in which classes are downloaded for instantiation. In *Hawkins*, once the tool has determined an order, nothing can change the order when the application executes. Applicant's Claims 1 and 17 describe that the engine uniquely determines the priority order for loading the non-core services at run time during each execution of the software application responsive to a user interaction. Thus, Applicant's Claims 1 and 17 describe a software engine providing a much more robust and dynamic operating environment than described by the system in the *Hawkins* reference. Therefore, the Applicant

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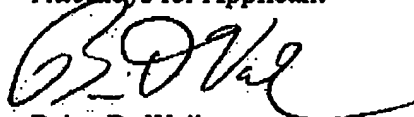
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respectfully submits that Claims 1 and 17, and all claims dependent therefrom, are distinguishable from the art of record and a Notice of Allowance is respectfully requested.

Claims 9-15, 25-31 and 33-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hawkins* in view of *Judge et al.* ("Judge"). Applicant respectfully submits that these claims, being dependent upon previously discussed Claims 1 and 13 are allowable over the art of record as the *Judge* reference fails to overcome the shortcomings of *Hawkins*.

Applicant has now made an earnest attempt in order to place this application in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/NEXU-26,961 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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